THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.1571 of 2004

DATED: 01.08.2007

Between:

Dr. V.Malathi

.. Petitioner

And

N.T.R.University of Health Sciences,
Vijayawada, rep. by its
Registrar
and others. .. Respondents.

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.1571 of 2004

ORDER:

This writ petition is filed seeking a writ of Mandamus directing the respondents to consider the case of the petitioner for admission into Post Graduate Medical Science by duly treating her as in-service candidate.

It is the case of the petitioner that she had obtained M.B.B.S. Degree in October, 1998 from Bangalore University and was appointed as Civil Assistant Surgeon on 07.02.2001 in Health, Medical and Family Welfare Department of State Government and posted at Wankidi, Adilabad District. She further submits that she appeared for Post Graduate Medical Entrance Test, which was notified by NTR University of Health Sciences for the academic year 2003-2004, wherein she was declared to have secured 149 marks and was assigned a rank of 625. In the application form of the said Entrance Examination, it was clearly mentioned that an in-service candidate had to obtain service eligibility certificate by the Director of Medical Education and the same had to be forwarded by the competent authority, under whom in-service candidate has been working, and as such, when she approached the Director of Medical Education in order to obtain the service eligibility certificate, the Director of Medical Education had declined to sign the same on the ground that she was

placed under suspension.

The main grievance of the petitioner is that the service eligibility certificate is to be produced by the candidates only at the time of counseling of admission, and also she contends that even during the period of suspension, the master and servant relationship exists. She submits that she had rendered two and half years of service in tribal area and as per the policy of reservation of in-service candidates, she is eligible to be granted admission in Post Graduate course as an in-service candidate, hence, she approached this Court and filed this writ petition.

Learned counsel for the petitioner submits that, this Court, while issuing *Rule nisi* on 28.01.2004, granted interim direction in WPMP.No.2071 of 2004 as prayed for, and accordingly, the petitioner was given admission into P.G. Medical Science Course as an in-service candidate only.

In view of the facts and circumstances of the case and also the submission made by the learned counsel for the petitioner, this Court is of the view that no further orders need be passed in this writ petition.

Accordingly, this writ petition is closed.

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(GOPALA KRISHNA TAMADA,J)

Dt.01.08.2007

v v